

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

EMILY NOELL and	:	
ROBERT HARDEN,	:	
	:	
Plaintiffs,	:	CIVIL ACTION
	:	
v.	:	
	:	NO. 1:15-CV-2404-AT
	:	
MARC JORDAN, et al.,	:	
	:	
Defendants.	:	

PROPOSED CONSENT ORDER

The United States and Plaintiffs Emily Noell and Robert Harden (“Plaintiffs”) have entered into a Stipulation of Final Settlement and Release of All Claims resolving all of the issues raised in the Second Amended Complaint, [Doc. 43]. Specifically, the parties have agreed that the United States shall set aside the administrative forfeiture of \$20,200.00 seized from Emily Noell on or about October 8, 2014 (the “Defendant Funds”) and release to Plaintiffs the entirety of the Defendant Funds, in consideration of Plaintiffs’ agreement to dismiss, with prejudice, all claims raised against the United States, U.S. Customs and Border Protection, and U.S. Department of Homeland Security. The parties further agree that this shall constitute a full and final settlement of all claims against the United States, U.S. Customs and Border Protection, and U.S. Department of Homeland

Security that Plaintiffs have as a result of the seizure and administrative forfeiture of the Defendant Funds.

WHEREFORE, the Court hereby finds that the United States and Plaintiffs have reached a full and final settlement of all claims against the United States, U.S. Customs and Border Protection, and U.S. Department of Homeland Security and that the parties have properly executed a Stipulation of Final Settlement.

Therefore, IT IS HEREBY ORDERED AS FOLLOWS:

1. The administrative forfeiture of \$20,200.00 seized from Emily Noell on or about October 8, 2014 is set aside.
2. Count IV of the Second Amended Complaint, consisting of paragraphs 71 through and including paragraph 83, are dismissed, with prejudice, and all claims and allegations against the United States, U.S. Customs and Border Protection, and U.S. Department of Homeland Security are dismissed, with prejudice.
3. The United States shall disburse \$20,200.00 to Plaintiffs, by and through their attorney. Plaintiffs shall not be entitled to receive any further payment from the United States as a result of the seizure and forfeiture.
4. The parties shall be responsible for payment of their own expenses, including attorney fees, incurred in connection with this proceeding.

5. This case shall remain open as to all remaining Counts.

SO ORDERED THIS ____ day of March, 2017.

AMY TOTENBERG
UNITED STATES DISTRICT JUDGE

Presented by:

JOHN A. HORN
UNITED STATES ATTORNEY



KELLY K. CONNORS
ASSISTANT U.S. ATTORNEY
GEORGIA BAR NO.: 504787

75 Ted Turner Drive, S.W.
Suite 600
Atlanta, Georgia 30303
(404) 581-4639 (Telephone)
(404) 581-6181 (Fax)
Kelly.Connors@usdoj.gov

Consented to by:

ATTORNEY FOR PLAINTIFFS
EMILY NOELL AND ROBERT
HARDEN



AMANDA EVANS
GEORGIA BAR NO.: 940328

Evans and White, LLP
P.O. Box 18336
Atlanta, Georgia 30316
(404) 408-8314 (Telephone)
amanda@evansandwhite.com

consented to by her attorney Amanda Evans

EMILY NOELL

consented to by his attorney Amanda Evans

ROBERT HARDEN